

DIVISION OF RETIREMENT BENEFITS

This section of the website provides information pertaining to the division of retirement benefits under the North Dakota Public Employees Retirement System (NDPERS) Defined Contribution Plan. To provide for the division of a member's benefit with the NDPERS Defined Contribution Plan, it is necessary for a Qualified Domestic Relations Order (QDRO) to be submitted. The materials provided in this section of the site should be helpful in determining the requirements of North Dakota Century Code 54-52.6-12.

To assist all parties involved with the division of a member's retirement benefits, the Public Employees Retirement System developed a working model to be used as a reliable reference in establishing the legal parameters of a qualified domestic relations order. The [following model](#) is designed to provide interested parties with the available benefit options under the Public Employees Retirement System Defined Contribution Plan. The model was developed through extensive study and meticulous attention to detail. As written, the model provides the plan administrator with clear instructions as to the parties' intent. If the parties' intent is not clear, the retirement board cannot approve the order. Accordingly, any proposed domestic relations order that is not in strict compliance with the model QDRO is not qualified. Please note that the reason for the strict compliance requirement is that this is a complex area which has its own technical jargon.

If a member's divorce is final, please submit a photocopy of the complete divorce decree to NDPERS so that we may update the membership record. If the divorce is not final, be sure to submit a copy of the decree when it is finalized.

If you have any technical or fact specific questions, please contact NDPERS at (800) 803-7377 or (701) 328-3900. If you have any specific legal questions, please contact [Scott Miller](#), Attorney General's Office, at (701) 328-3148.